

1-1 By: Gallegos S.B. No. 239
1-2 (In the Senate - Filed January 18, 2007; January 30, 2007,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 April 18, 2007, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 18, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to interference with the duties of a public health
1-9 professional; providing a criminal penalty.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (a), Section 38.15, Penal Code, is
1-12 amended to read as follows:

1-13 (a) A person commits an offense if the person with criminal
1-14 negligence interrupts, disrupts, impedes, or otherwise interferes
1-15 with:

1-16 (1) a peace officer while the peace officer is
1-17 performing a duty or exercising authority imposed or granted by
1-18 law;

1-19 (2) a person who is employed to provide emergency
1-20 medical services including the transportation of ill or injured
1-21 persons while the person is performing that duty;

1-22 (3) a fire fighter, while the fire fighter is fighting
1-23 a fire or investigating the cause of a fire;

1-24 (4) an animal under the supervision of a peace
1-25 officer, corrections officer, or jailer, if the person knows the
1-26 animal is being used for law enforcement, corrections, prison or
1-27 jail security, or investigative purposes;

1-28 (5) the transmission of a communication over a
1-29 citizen's band radio channel, the purpose of which communication is
1-30 to inform or inquire about an emergency; [~~or~~]

1-31 (6) an officer with responsibility for animal control
1-32 in a county or municipality, while the officer is performing a duty
1-33 or exercising authority imposed or granted under Chapter 821 or
1-34 822, Health and Safety Code; or

1-35 (7) a person with responsibility for assessing,
1-36 enacting, or enforcing public health, environmental, or safety
1-37 measures in a county or municipality while the person is performing
1-38 a duty or exercising authority imposed or granted under Chapter 81,
1-39 121, 341, 343, 344, 361, 365, 366, 382, 431, 432, 433, 437, or 438,
1-40 Health and Safety Code, or Chapter 7 or 26, Water Code.

1-41 SECTION 2. The change in law made by this Act applies only
1-42 to an offense committed on or after the effective date of this Act.
1-43 An offense committed before the effective date of this Act is
1-44 covered by the law in effect when the offense was committed, and the
1-45 former law is continued in effect for that purpose. For purposes of
1-46 this section, an offense was committed before the effective date of
1-47 this Act if any element of the offense was committed before that
1-48 date.

1-49 SECTION 3. This Act takes effect September 1, 2007.

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